

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION



UNITED STATES OF AMERICA

v.

ROCEASER IVY

No.
Judge

10 CR 496
Milton I. Shadur

AGREED PROTECTIVE ORDER

It is hereby ORDERED as follows:

1. All materials produced by the Clerk of Court for the Northern District of Illinois in preparation for or in connection with any stage of the proceedings in this case, including but not limited to AO-12 reports, may be utilized by defendant, defendant's counsel, defendant's potential and/or retained experts, and employees and agents of defendant's counsel solely in connection with the preparation of a challenge by defendant to the jury selection process in the Northern District of Illinois ("the Litigation") and for no other purpose.

2. Defendant's counsel and defendant shall not disclose the materials directly or indirectly to any other person except persons employed by or agents working with defense counsel to assist in the Litigation, persons who are interviewed as potential witnesses with respect to the Litigation, persons who are consulted as potential and/or retained experts during the course of the Litigation, and/or such other persons to whom the Court may authorize disclosure (collectively "authorized persons").

3. The materials produced by the Clerk of Court for the Northern District of Illinois shall not be copied or reproduced by defense counsel or defendant either directly or indirectly unless they are copied for use by authorized persons to assist in the Litigation, and in that event, such copies and reproductions must be treated in the same manner as the original matter.

4. Before providing the materials to an authorized person, defendant's counsel must provide the authorized person with a copy of this Order and require the authorized person to sign a statement that represents that the authorized person has received a copy of and reviewed this Order and has agreed to be bound by its terms and conditions subject to sanctioning by the Court for any violations of this Order. Defense counsel shall maintain a copy of the signed statement of each authorized person for a period of twelve months after the later of: (a) the trial or other resolution of this case; and (b) any direct appeal. Defense counsel shall make the signed statements of each authorized person available to the Government as required by the Federal Rules of Criminal Procedure, the local criminal rules of the Northern District of Illinois and/or Court order.

5. Defendant acknowledges that the position of the United States is that defendant has not shown that he is entitled to receive any materials from the Clerk of Court from the Northern District of Illinois because he has not shown that the information is relevant or germane to the Litigation.

6. Pursuant to the Case Management Procedures of this Court, no filing under seal, or any other designation as a restricted document, is to be permitted without previously obtaining court approval. *See Citizens First Nat'l Bank v. Cincinnati Ins. Co.*, 178 F.3d 943 (CA7 1999).

7. Pursuant to the Case Management Procedures of this Court, after this case is closed in the District Court, the parties may obtain the return of any previously sealed or previously restricted documents by a motion filed within 63 days after the case is closed. Any documents that are not so withdrawn will become part of the public case file.

8. Upon conclusion of the trial of this case and any direct appeals of this case or upon the earlier resolution of the charges against defendant, all of the materials and all copies made thereof of materials produced by the Clerk of Court for the Northern District of Illinois must be destroyed or maintained under secure conditions by defense counsel.

9. This Order may be modified by the agreement of the parties with permission of the Court or by further Order of the Court.

10. Each party reserves all other rights relating to discovery and the production of documents, including the right to petition the Court to construe, modify, or enforce this Order.

ENTER:

A handwritten signature in cursive script, appearing to read "Milton I. Shadur", written in black ink.

MILTON I. SHADUR
United States District Judge

DATE: *March 16, 2011*